

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JASON SKAGGS,

Petitioner,

vs.

No. CIV 22-0050 JB\SMV

DWAYNE SANTISTEVAN, and  
ATTORNEY GENERAL OF  
THE STATE OF NEW MEXICO,

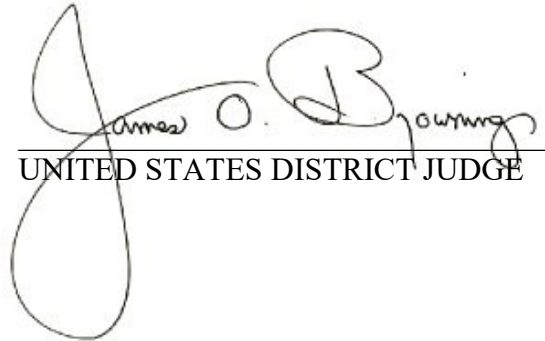
Respondents.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on the Petitioner's Application to Proceed in District Court Without Prepaying Fees or Costs, filed February 18, 2022 (Doc. 4) ("Motion"). Petitioner Jason Skaggs is incarcerated and proceeding pro se. He seeks to prosecute his Petition Under 28 U.S.C. § 2254 For a Writ of Habeas Corpus By a Person in State Custody, filed January 24, 2022 (Doc. 1), without prepaying the \$5.00 habeas filing fee. See Motion at 1. The Court may grant such relief only where an inmate's "affidavit [and] . . . statement of . . . assets [demonstrates] that the [inmate] is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(1). Skaggs' inmate financial statement reflects a balance of \$162.35 on January 24, 2022. See Motion at 8. The Court concludes that he can afford to prepay the \$5.00 habeas filing fee and, therefore, will deny the Motion. Skaggs shall pay the \$5.00 habeas filing fee within thirty days of this Memorandum Opinion and Order's entry. The failure to timely comply with this Memorandum Opinion and Order will result in the dismissal of this action without further notice.

**IT IS ORDERED** that: (i) the Petitioner's Application to Proceed in District Court Without Prepaying Fees or Costs, filed February 18, 2022 (Doc. 4), is denied; and (ii) Petitioner

Jason Skaggs must submit the \$5.00 habeas filing fee within thirty days from entry of this Memorandum Opinion and Order.



James O. Downing  
UNITED STATES DISTRICT JUDGE

*Parties:*

Jason Skaggs  
Hobbs, New Mexico

*Plaintiff Pro Se*